

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 5, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman

Commissioners Absent: Deb Schorr

Others Present: Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, September 28, 2004.**

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated September 28, 2004. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to John Beck for his services with the Lincoln Police Department's Victim/Witness Unit.

B. Donation of \$15,000 from the Inmate Benefit Fund to the Good News Jail and Prison Ministries of Fairfax, Virginia to help maintain a full-time chaplain for Lancaster County Corrections - Rev. Dan Morgan of Good News Jail and Prison Ministries, and Mike Thurber, Lancaster County Corrections Director

Mike Thurber, Corrections Director, appeared and introduced Rev. Dan Morgan who spoke about the Chaplaincy Program/Inmate Benefit Fund.

Thurber requested the County Board's approval to donate \$15,000, budgeted in the Inmate Benefit Fund, which is generated by inmate vending and telephone commissions.

2) **SPECIAL PRESENTATIONS CONTINUED:**

MOTION: Hudkins moved and Workman seconded to accept the donation of \$15,000 from the Inmate Benefit Fund to support the Good News Jail and Prison Ministries. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) **CLAIMS: Approval of all claims processed through Tuesday, October 5, 2004.**

MOTION: Hudkins moved and Heier seconded approval of all claims processed through October 5, 2004. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

5) **NEW BUSINESS:**

A. A grant contract with Madonna Rehabilitation Hospital for management of the program and funding for the Community Medical Transportation Project in the amount of \$12,500. Term of the agreement is July 1, 2004 through June 30, 2005. (C-04-0467)

MOTION: Workman moved and Hudkins seconded approval of a grant contract with Madonna Rehabilitation Hospital for management of the program and funding for the Community Medical Transportation Project in the amount of \$12,500. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

B. A grant contract with Lincoln Council on Alcoholism and Drugs, Inc. for funding for the Substance Abuse Prevention Program, in the amount of \$37,000, and the Substance Abuse Evaluation Program, in the amount of \$5,000. The total amount of the grant will be \$42,000. Term of the grant contract is from July 1, 2004 to June 30, 2005. (C-04-0468)

MOTION: Hudkins moved and Workman seconded approval of a grant contract with Lincoln Council on Alcoholism and Drugs, Inc. for funding for the Substance Abuse Prevention Program, in the amount of \$37,000, and the Substance Abuse Evaluation Program, in the amount of \$5,000. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

C. A grant contract with Friendship Home for funding of the general operation of the Hotel-Motel Project, in the amount of \$3,500. Term of the grant contract is from July 1, 2004 to June 30, 2005. (C-04-0469)

MOTION: Heier moved and Workman seconded approval of a grant contract with Friendship Home for funding of the general operation of the Hotel-Motel Project, in the amount of \$3,500. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

D. A grant contract with Lighthouse, Inc. for the management of Project H.I.R.E., a job training and employment placement program for youth ages 16 through 18, in the amount of \$46,827. Term of the contract is September 1, 2004 through August 30, 2005. (C-04-0470)

MOTION: Heier moved and Workman seconded approval of a grant contract with Lighthouse, Inc. for the management of Project H.I.R.E., a job training and employment placement program for youth ages 16 through 18, in the amount of \$46,827. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

E. A grant contract with Berniklau Educational Solutions Team (BEST) for funding for management of a Juvenile Day Reporting Center, in the amount of \$95,000. Term of the grant contract is July 1, 2004 to June 30, 2005. (C-04-0471)

MOTION: Workman moved and Hudkins seconded approval of a grant contract with Berniklau Educational Solutions Team (BEST) for funding for management of a Juvenile Day Reporting Center, in the amount of \$95,000. Heier, Hudkins, Workman and Stevens voted aye. Motion carried.

F. A contract with Metroplex Control Systems, Inc. for replacement of the control system at the Lancaster County Corrections Department. The contract is effective upon execution and ends on December 16, 2005. The County will pay \$941,700 for the services. (C-04-0472)

MOTION: Heier moved and Hudkins seconded approval of a contract with Metroplex Control Systems, Inc. for replacement of the control system at the Lancaster County Corrections Department. The contract is effective upon execution and ends on December 16, 2005. Workman, Hudkins, Heier and Steven voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

G. A contract with Garcia-Chicoine Enterprises, Inc. for guardrail construction on County Project 05-05 in the areas of Northwest 140th Street and West Rock Creek Road, and Northwest 27th Street and West Agnew Road. The County will pay \$34,948 for the services. Work will commence by October 5, 2004 and be completed by November 5, 2004. (C-04-0473)

MOTION: Hudkins moved and Workman seconded approval of a contract with Garcia-Chicoine Enterprises, Inc. for guardrail construction on County Project 05-05 in the areas of Northwest 140th Street and West Rock Creek Road, and Northwest 27th Street and West Agnew Road. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

H. An addendum to the Cooperative Agreement between the Clerk of the District Court and Nebraska Health and the Department of Health and Human Services/Child Support Enforcement to exercise the renewal option for an additional two-year period. The County previously entered into the Cooperative Agreement under County Contract No. C-03-0608 wherein the County provides assistance in administering Nebraska's State Plan for Child Support Collection and the Establishment of Paternity under Title IV-D of the Social Security Act. The term of the addendum is July 1, 2004 to June 30, 2006. (C-04-0477)

MOTION: Heier moved and Hudkins seconded approval of an addendum to the Cooperative Agreement between the Clerk of the District Court and Nebraska Health and the Department of Health and Human Services/Child Support Enforcement to exercise the renewal option for an additional two-year period. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

I. Utility Permit Number 727 for the City of Lincoln, through Constructors, Inc. and K2, to construct water and storm lines in County road right-of-way on 40th Street, San Mateo to approximately 500 feet south of Yankee Hill Road, Yankee Hill Road from 40th to 56th Streets, Yankee Hill Road to Union Hill Road. (C-04-0474)

MOTION: Hudkins moved and Heier seconded approval of Utility Permit Number 727 for the City of Lincoln, through Constructors, Inc. and K2, to construct water and storm lines in County road right-of-way on 40th Street, San Mateo to approximately 500 feet south of Yankee Hill Road, Yankee Hill Road from 40th to 56th Streets, Yankee Hill Road to Union Hill Road. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

J. Acceptance of proposal and agreement with the Lincoln League of Women Voters to assist with voter registration sites and provide election night workers in Lancaster County. The County will pay \$4.75 an hour to the League for services provided up to \$2,500. Term of the agreement is September 1, 2004 to August 31, 2005. (C-04-0475)

At the request of the County Attorney's Office this item was held.

K. An agreement with the Village of Denton for law enforcement services within the corporate limits of the village. The Sheriff will assign one deputy for duty in the village and provide one Sheriff's cruiser. Term of the agreement is September 1, 2004 to August 31, 2005. The County will be reimbursed at the deputy's overtime rate for the services provided and will be reimbursed 37.5 cents per mile for cruiser maintenance. (C-04-0476)

MOTION: Heier moved and Workman seconded approval of an agreement with the Village of Denton for law enforcement services within the corporate limits of the village. Workman, Heier, Hudkins and Stevens voted aye. Motion carried.

L. A resolution directing the County Treasurer to issue tax sale certificates to the County on all parcels of real estate where there are delinquent taxes and also directing the County Attorney's office to begin tax foreclosure proceedings. (R-04-0119)

MOTION: Workman moved and Heier seconded approval of Resolution 04-0119 directing the County Treasurer to issue tax sale certificates to the County on all parcels of real estate where there are delinquent taxes and also directing the County Attorney's office to begin tax foreclosure proceedings. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

M. Liability insurance coverage with National Legal Aid and Defender Association (NLADA) Service Corporation for the Lancaster County Public Defender's Office, in the amount of \$7,056.53. The policy period begins November 1, 2004 and ends November 1, 2005.

MOTION: Heier moved and Workman seconded approval of liability insurance coverage with National Legal Aid and Defender Association (NLADA) Service Corporation for the Lancaster County Public Defender's Office, in the amount of \$7,056.53. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

6) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Setting of public hearings for Tuesday, October 19, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building for the following:

1. **County Final Plat 04064, Four Winds Estates Addition**, requested by Brian D. Carstens and Associates on behalf of Harlan and Judith Stiefel, consisting of four lots, on property generally located at S.W. 84th Street and West Old Cheney Road in Lancaster County, Nebraska.
2. **County Special Permit 04046, Mustang Ridge Community Unit Plan**, requested by Brian D. Carstens and Associates on behalf of Robert and Michelle Benes, for four residential acreages on property generally located southeast of the intersection of N.W. 27th Street and West Agnew Road, in Lancaster County, Nebraska.
3. **County Preliminary Plat 04020, Mustang Ridge**, requested by Brian D. Carstens and Associates on behalf of Robert and Michelle Benes, for four residential acreage lots on property generally located southeast of the intersection of N.W. 27th Street and West Agnew Road, in Lancaster County, Nebraska.

B. Setting of a public hearing for Tuesday, October 26, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building to allow interested parties the opportunity to testify, either for or against, the sale of county property, generally located at 3830 Adams Street, Lincoln, Nebraska, legally described as Wesleyan Heights, Lots 94-98, and to also determine the fair market value of the property.

MOTION: Heier moved and Workman seconded approval of the Consent Items. Workman, Heier, Hudkins and Stevens voted aye. Motion carried.

7) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:03 p.m.. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

Bruce Medcalf, County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 5, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman

Commissioners Absent: Deb Schorr

Others Present: Norm Agena, County Assessor/Register of Deeds
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:03 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 28, 2004.**

MOTION: Heier moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated September 28, 2004. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 19 additions and deductions to the tax assessment rolls per Exhibit "A".

MOTION: Workman moved and Hudkins seconded approval of the additions and deductions to the tax assessment rolls. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Congregation of Sisters of Mary Queen of Mercy
Developmental Services of Nebraska
Gateway Manor Inc.
St. Mark's United Methodist Church
St. Thomas Aquinas Church**

MOTION: Heier moved and Hudkins seconded approval of the motor vehicle tax exemptions. Workman, Hudkins, Heier and Stevens voted aye. Motion carried.

5) **APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY FOR THE FOLLOWING:**

Sunshine Grooming

Norm Agena, County Assessor/Register of Deeds, indicated Sunshine Grooming filed their return on September 17, 2004. By statute, any personal property form filed after July 31st is assessed a 25 percent penalty.

Duncan Aviation

Agena indicated Duncan Aviation faxed their personal property return on August 13, 2004.

Steve Semke, Controller for Duncan Aviation, appeared and stated that according to their records, the personal property return was signed and mailed on April 29, 2004. He urged the Board to abate the penalty.

Agena stated his office sent a letter informing Duncan Aviation that they had not received their schedule for 2004.

MOTION: Heier moved and Stevens seconded to deny the appeal filed on a penalty assessed on personal property for Sunshine Grooming and Duncan Aviation. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded adjournment of the Board of Equalization meeting at 2:14 p.m.. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk